

REMARKS

Claims 1, 2 and 5-7 remain pending in the present application. Claims 3 and 4 have been cancelled. Claims 1, 5 and 6 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

SPECIFICATION

We have amended the abstract to delete the form and legal phraseology used in patent claims. Withdrawal of the objection is respectfully requested.

DRAWINGS

The drawings are objected to under 37 CFR 1.83(a). Claim 3 has been cancelled. Withdrawal of the objection is respectfully requested.

CLAIM OBJECTIONS

Claim 5 is objected to because of informalities. Claim 5 has been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 3 and 4 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 3 and 4 have been cancelled. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 5 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kanehashi (U.S. Pat. No. 6,192,698). Claim 1 defines a radiation thermometer for detecting a surface temperature of a plurality of location on the refrigeration evaporator. The operation of the refrigerant compressor is controlled based upon a lowest surface temperature of the surface temperatures at the plurality of locations on the refrigerant evaporator.

In Kanehashi, et al., the sensor 33 pointed out by the Examiner is a solar radiation sensor 33 that detects the amount of solar radiation reaching the inside of the passenger compartment. Sensor 33 is not a sensor for detecting a surface temperature of a refrigerant evaporator nor a sensor for detecting an air temperature immediately after air has been cooled by the refrigerant evaporator, sensor 34 detects the temperature of air having passed through the evaporator. Further, this sensor 33 and sensor 34 do not detect air temperatures for respective areas which results in the refrigerant evaporator being divided into a plurality of areas.

In Kanehashi, et al., the post-evaporator sensor 34 may correspond to a radiation thermometer as defined in Claim 1 of the present application or cooled air temperature detecting means as defined in Claim 5. However, there is nothing described in Kanehashi, et al. at all regarding the post-evaporator sensor detecting air temperatures for a plurality of respective areas when the evaporator is divided into a plurality of areas and further, that an operation of a refrigerant compressor is controlled based on the lowest temperature of the air temperatures detected in the plurality of areas.

Thus, Applicant believes Claims 1 and 5, as amended, patentably distinguish over the art of record. Likewise, Claims 2 and 7, which depend from Claims 1 and 5, respectively, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By. 

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